IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION 1576 OF 2005

WITH

INCOME TAX APPEAL (LODG) NO. 623 OF 2005

The Commissioner of Income Tax .... Appellant

Vs.

M/s Hind Metal Mart .... Respondent

Mr. S.M. Shah for Appellant
Ms. Asifa Khan for respondent.

CORAM : F.I. REBELLO, &
J.P. DEVADHAR, JJ.

DATE : 14TH AUGUST, 2007

P.C.

. As the tax incidence is less than Rs. 4 lakhs, the learned counsel seeks leave to withdraw the appeal. Motion along with Appeal stand dismissed as withdrawn. The questions of law, if any, is kept open for consideration in an appropriate proceeding. Refund of court fees as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**